

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

IN THE MATTER OF THE SEARCH OF) MISC. NO.:
A LENOVO THINKPAD T540P)
COMPUTER)

ORDER TO SEAL

This matter comes before the court on motion of the United States to file the affidavit submitted in support of a search warrant under seal. The purpose of the Government's request is to avoid the disclosure of information concerning the ongoing investigation.

Having conducted an independent review of the facts set forth in the affidavit in support of the search warrant as well as the reasons provided by the Government in its sealing motion, the Court concludes that the Government's significant countervailing interest in sealing outweighs the common-law public interest in access to such document and that sealing the affidavit is "essential to preserve higher values." *See Media Gen. Operations, Inc. v. Buchanan*, 417 F.3d 424, 429-31 (4th Cir. 2005). In reaching this conclusion, the Court has considered alternative measures less restrictive than sealing, and finds that the Government's request is not overly broad in that the Government has not requested to seal the application for the search warrant nor the search warrant itself. The request is limited to the document which, if disclosed, would reveal specific and sensitive information concerning the ongoing investigation. Further, the Court has considered whether redacting the affidavit would serve the interests of the Government and those of the public, but finds that, if redacted, little information would remain, as the probable cause for the search warrants depends largely on disclosure of information related to the ongoing investigation. *In re Search of Office Suites for World & Islam Studies Enterprise*, 925 F. Supp. 738, 744 (M.D. Fla. 1996) (rejecting redactions of affidavit due to

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“concerns that unsealing even a portion of the affidavit would reveal, either explicitly or by inference, the scope and direction of the Government’s investigation”); *In re Search Warrants for Nat’l Builders Corp.*, 833 F. Supp. 644, 646 (N.D. Ohio 1993) (finding that sealing of search warrant affidavit was justified when “[v]irtually every page of the of the affidavit contain[ed] references to conversations and events, and reveal[ed] the nature and scope of the on-going government investigation, including individuals not within the scope of the search warrant”). Based on the foregoing, the Court finds that the interests of justice are best served by filing the affidavit under seal, except that working copies may be made available to the United States Attorney's Office, the United States Department of Energy, and any other law enforcement agency designated by the United States Attorney's Office.

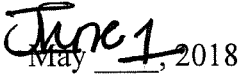
This order shall remain in effect until further order of the Court or six months after the date of this order, whichever occurs first. The timeframe may be extended on motion by the Government for good cause shown.

It is therefore, ORDERED that the affidavit submitted in support of the search warrant be filed under seal.

IT IS SO ORDERED.


Paige J. Gossett
United States Magistrate Judge

Columbia, South Carolina


May 1, 2018